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IN RE APPLICATION

OF: SCHELBERGER ET AL.

CONFIRMATION No.: 1391

SERIAL No. 09/868,515

GROUP ART UNIT: 1617

FILED: JUNE 18, 2001

EXAMINER: SHAOJIA A. JIANG

FOR: FUNGICIDAL MIXTURES BASED ON MORPHOLINE OR
PIPERIDINE DERIVATIVES AND OXIME ETHER DERIVATIVES

I hereby certify that this correspondence is being deposited with the United States postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 on August 1, 2005.

(Ginger Fritchett)

Honorable Commissioner for Patents
Alexandria, Virginia 22313-1450

REPLY UNDER 37 C.F.R. §1.111

Sir,

In reply to the office action of April, 1, 2005, it is respectfully requested the following remarks and amendments¹ be entered and considered for further prosecution of the above mentioned application:

REMARKS

Claims 12-23, 26-38 are pending in the current application. Claim 12 has been amended, and claims 23-24 have been canceled. The Examiner rejected claims 12-23, 26-38 under 35 USC §112, first paragraph, as containing subject matter that was not described in the specification at the time the application was filed, specifically the recitation of compound Id.. The Applicant points out that page 2, lines 1-5 of the

¹ The Claim Amendments as set forth in Appendix I of this paper.